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S.208

Introduced by Senators Ingram, Lyons, Pearson, and Starr

Referred to Committee on

Date:

Subject: Professional regulation; psychologists; prescribing

Statement of purpose of bill as introduced: This bill proposes to allow the Board of Psychological Examiners to confer prescribing authority upon doctoral-level psychologists who have completed specific educational and training requirements.

An act relating to prescribing by doctoral-level psychologists

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 26 V.S.A. § 3019 is added to read:

§ 3019. PRESCRIBING BY DOCTORAL-LEVEL PSYCHOLOGISTS

(a) In accordance with applicable State and federal laws, the Board shall issue a certificate conferring the authority to prescribe, administer, discontinue, and distribute controlled substances, as defined in 21 C.F.R. Part 1308, that are recognized in or customarily used in the diagnosis, treatment, and management of a person with a psychiatric, cognitive, nervous, emotional, or behavioral disorder to a psychologist-doctorate who:

(1) is licensed pursuant to this chapter;

1 (2) has a postdoctoral master's degree in clinical psychopharmacology
2 designated as meeting the necessary coursework requirements by the American
3 Psychological Association or by another health professional association
4 qualified to designate necessary coursework requirements; and

5 (3) has passed an examination developed by a nationally recognized
6 body and approved by the Board that is relevant to establishing competence for
7 prescribing.

8 (b) The degree described in subdivision (a)(2) of this section shall include:

9 (1) a structured sequence of study in an organized program offering
10 intensive didactic education, including basic life sciences; neurosciences;
11 clinical and research pharmacology and psychopharmacology; clinical
12 medicine and pathophysiology; physical assessment and laboratory
13 examinations; clinical pharmacotherapeutics; and research on professional,
14 ethical, and legal issues.

15 (2) relevant clinical experience, including at least 100 patient
16 consultations, sufficient to attain competency in the psychopharmacological
17 treatment of a diverse patient population in collaboration with and under the
18 direction of a qualified practitioner, including a physician licensed pursuant to
19 chapter 23 or 33 or this title; an advanced practice registered nurse licensed
20 pursuant to chapter 28, subchapter 2 of this title; or a prescribing psychologist-
21 doctorate.

1 (c)(1) A psychologist-doctorate who has received a prescribing certificate
2 from the Board shall only prescribe for a patient who has a primary care
3 provider, psychiatrist, or prescribing psychologist-doctorate of record.

4 (2) A psychologist-doctorate who has received a prescribing certificate
5 from the Board shall consult and collaborate with a patient's primary care
6 provider, psychiatrist, or prescribing psychologist-doctorate of record to obtain
7 a concurrence prior to initiating, making changes to, or terminating a
8 medication treatment plan.

9 (3) A psychologist-doctorate who has received a prescribing certificate
10 from the Board shall not delegate his or her prescribing authority to any other
11 person.

12 (d) A prescription issued by a psychologist-doctorate who has received a
13 prescribing certificate from the Board shall:

14 (1) comply with applicable State and federal laws; and

15 (2) be identified as written by a psychologist-doctorate, in a manner
16 determined by the Board.

17 (e) A psychologist-doctorate who has received a prescribing certificate
18 from the Board shall maintain a record of all relevant prescribing history and
19 consultations with a patient's primary care provider, psychiatrist, or
20 prescribing psychologist-doctorate of record.

1 (f) The Board shall:

2 (1) maintain records on each psychologist-doctorate who has received a
3 prescribing certificate, including the psychologist-doctorate's Drug
4 Enforcement Administration registration and number;

5 (2) transmit to the Vermont Board of Pharmacy, on a quarterly basis, a
6 list of those psychologist-doctorates holding a current prescribing certificate
7 from the Board; and

8 (3) adopt rules pursuant to 3 V.S.A. chapter 25 to develop and
9 implement procedures for:

10 (A) Reviewing the education and training credentials for issuing
11 prescribing certificates to psychologist-doctorates in accordance with current
12 standards of professional practice.

13 (B) Appropriate consultation and collaboration between a prescribing
14 psychologist-doctorate and a patient's primary care provider, psychiatrist, or
15 prescribing psychologist-doctorate of record.

16 (C) Renewal of a psychologist-doctorate's prescribing certificate in
17 conjunction with the renewal of his or her license. The Board shall require that
18 a psychologist-doctorate seeking to renew his or her prescribing certificate
19 present evidence to the Board demonstrating completion of 18 hours of
20 continuing medical education relevant to prescribing authority during the
21 previous term of licensure.

1 (g) As used in this section, “primary care provider” means a physician
2 licensed pursuant to chapter 23 or 33 of this title who provides the majority of
3 a patient’s primary care and assists in coordinating a patient’s specialty care; a
4 naturopathic physician licensing pursuant to chapter 81 of this title; an
5 advanced practice registered nurse licensed pursuant to chapter 28,
6 subchapter 2 of this title; and a physician assistant licensed pursuant to
7 chapter 31 of this title.

8 Sec. 2. EFFECTIVE DATE

9 This act shall take effect on July 1, 2018.